

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 18, 2006

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Rothschild, J. and S. Stahl,
Deputy Clerk.

Each of the following:

B177855	People v. Valera
B180792	People v. Victorian
B182760	People v. Lofton
B183070	People v. Negrett
B183238	People v. Reed
B183264	People v. Cardona
B183767	People v. Anderson
B186047	People v. Eduardo M.
B186485	DCFS v. Alberto M.
B188921	Tamika G. v. SCLA, DCFS
B186463	People v. Morrisette
B179583	People v. Demont C.

Argument waived, cause submitted.

B181940	Greenstein
	v.
	A.R.G. Corporation

Merits:

Argued by Jon Fries for respondent. Appellant waived oral argument.
Cause submitted.

DIVISION ONE (Continued)

B184872 People
 v.
 Joel R.

Merits:

Argued by Lynette G. Moore for appellant and by Ryan B. McCarroll,
Deputy Attorney General, for respondent. Cause submitted.

Vogel, J. leaves the bench.

B185043 People
 v.
 Baccus

Merits:

Argued by Tracey Lopez, Deputy District Attorney, for appellant and by
Graciela Martinez, Deputy Public Defender, for respondent. Cause
submitted.

Vogel, J. returns to the bench.

Mallano, J. leaves the bench.

B178957 People
 v.
 Carlos

Merits:

Argued by Charles K. Kilgore for appellant and by Susan Lee Frierson,
Deputy Attorney General, for respondent. Cause submitted.

Mallano, J., returns to the bench.

Rothschild, J., leaves the bench.

DIVISION ONE (Continued)

B178696 Yu
 v.
 World Savings et al.

Merits:
Argued by David Burkenroad for appellant and by Steven L. Kester for
respondents. Cause submitted.

Rothschild, J., returns to the bench.

Vogel, J., leaves the bench.

B180910 Berman et al.
 v.
 Smith

Merits:
Argued by Yvonne Birch for respondent. No appearance by appellants.
Cause submitted.

Vogel, J., returns to the bench.

Spencer, P.J., leaves the bench.

B182590 Blasucci
 v.
 Wieder

Merits:
Argued by Howard B. Miller for appellant and by Gregory M. MacGregor
for respondent. Cause submitted.

Spencer, P.J., returns to the bench.

Vogel, J., leaves the bench.

April 18, 2006 (Continued)

DIVISION ONE (Continued)

B179201 Anadolian
v.
Anadolian

Merits:

Argued by Hugh A. Lipton for appellant, by Donald R. Klahs for respondent Garo G. Anadolian and by David S. Poole for respondent Antranik Anadolian. Cause submitted.

B174416 Western United Service Corporation
v.
Greenblatt

Merits:

Argued by Lisa L. Loveridge for appellant and by Mark G. Krum for respondent. Cause submitted.

Court adjourned.

B180692 People (Not for Publication)
v.
Kuebler

The count 5 false imprisonment conviction is reversed, and the \$10 fine imposed pursuant to section 1465.7 is stricken. The case is remanded for the trial court to (1) dismiss count 5 with prejudice, (2) vacate the section 1465.7 fine, and (3) correct that portion of the abstract of judgment stating that Kuebler pled guilty to reflect that he was convicted by the court of the crimes of which he was found guilty. The trial court should prepare an amended abstract of judgment reflecting these changes and forward it to the Department of Corrections. In all other respects the judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
Mallano, J.

April 18, 2006 (Continued)

DIVISION ONE (Continued)

B179583 People (Not for Publication)
v.
Demont C.

While Demont’s appeal was pending, his appellate counsel sent us a copy of a December 2, 2005, minute order stating that the juvenile court had reconsidered and reaffirmed its order of commitment but had reduced Demont’s maximum confinement time to four years plus four months and increased his predisposition credits to 647 days. Because the only issue raised by Demont in his opening brief was a challenge to the juvenile court’s failure to exercise its discretion vis-à-vis the term of confinement, we agree with the Attorney General’s contention (supported by Demont’s failure to file a reply brief) that the appeal is now moot.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

B183264 People (Not for Publication)
v.
Hector Cardona

The judgment is modified by striking the three five-year enhancements imposed for three of the four prior convictions in BA051053 and the one five-year enhancement imposed for the robbery count in BA055451 and, as modified, affirmed and remanded to the trial court with directions to issue a corrected abstract of judgment reflecting only one five-year enhancement and to forward that abstract to the Department of Corrections.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

April 18, 2006 (Continued)

DIVISION ONE (Continued)

B188921 Tamika G. (Not for Publication)
v.
Superior Court, Los Angeles County
(Department of Children and Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Rothschild, J.

B182930 People (Not for Publication)
v.
Bermudez

The judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION TWO

B177076 People
v.
Holguin

Filed order denying petition for rehearing. I would grant petition, Todd, J.

DIVISION FOUR

B181023 Rozsypal et al. (Not for Publication)
 v.
 Rozsypal et al.

The judgment of September 29, 2004, is reversed, and the letters of administration issued upon such judgment must therefore be vacated. The matter is remanded to the trial court for further proceedings consistent with this opinion. Each party is to bear his or her own costs.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
 Willhite, J.

DIVISION FIVE

B182922 People (Not for Publication)
 v.
 Vernon Nash

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B181275 Steven McVeigh (Certified for Publication)
 v.
 Does 1 through 3

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, Acting P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION FIVE (Continued)

B180709 Toyanda Thompson (Not for Publication)
 v.
 Compton Unified School District

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

I concur: Turner, P.J.
I concur: Mosk, J. (opinion)

DIVISION SIX

B186071 People (Not for Publication)
 v.
 Connoles

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B182672 In re Mateo C (Not for Publication)
 S.L.O. Department of Social Services
 v.
 Erika N.

The judgment (jurisdictional/disposition order) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

DIVISION SIX (Continued)

B188993 Carrie P. (Not for Publication)

v.

Superior Court of San Luis Obispo
(Department of Social Services)

The petition is denied.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B185708 People (Not for Publication)

v.

McNair

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B183808 People (Not for Publication)

v.

Kingsbury

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

April 18, 2006 (Continued)

DIVISION SIX (Continued)

B186518 People (Not for Publication)
v.
Allsup

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B179275 Ramirez, et al. (Certified for Publication)
v.
Nelson, et al.

The judgment is reversed and remanded for further proceedings. Costs on appeal are awarded to appellants.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.